

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

FREDERICK BANKS,

Civil No. 16-1947 (JRT/JSM)

Plaintiff,

v.

HON. RICHARD W. ROBERTS, et al,

**ORDER ON REPORT
AND RECOMMENDATION**

Defendants.

Frederick Banks, Reg. No. 05711068, FCI, P.O. Box 1000, Butner, NC 27509, *pro se* plaintiff,

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated July 12, 2016. No objections have been filed to that Report and Recommendation in the time period permitted.

The Court, being duly advised in the premises, upon the Report and Recommendation of the Magistrate Judge, and upon all of the files, records and proceedings herein, now makes and enters the following Order.

IT IS HEREBY ORDERED that this action is **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: September 8, 2016
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court